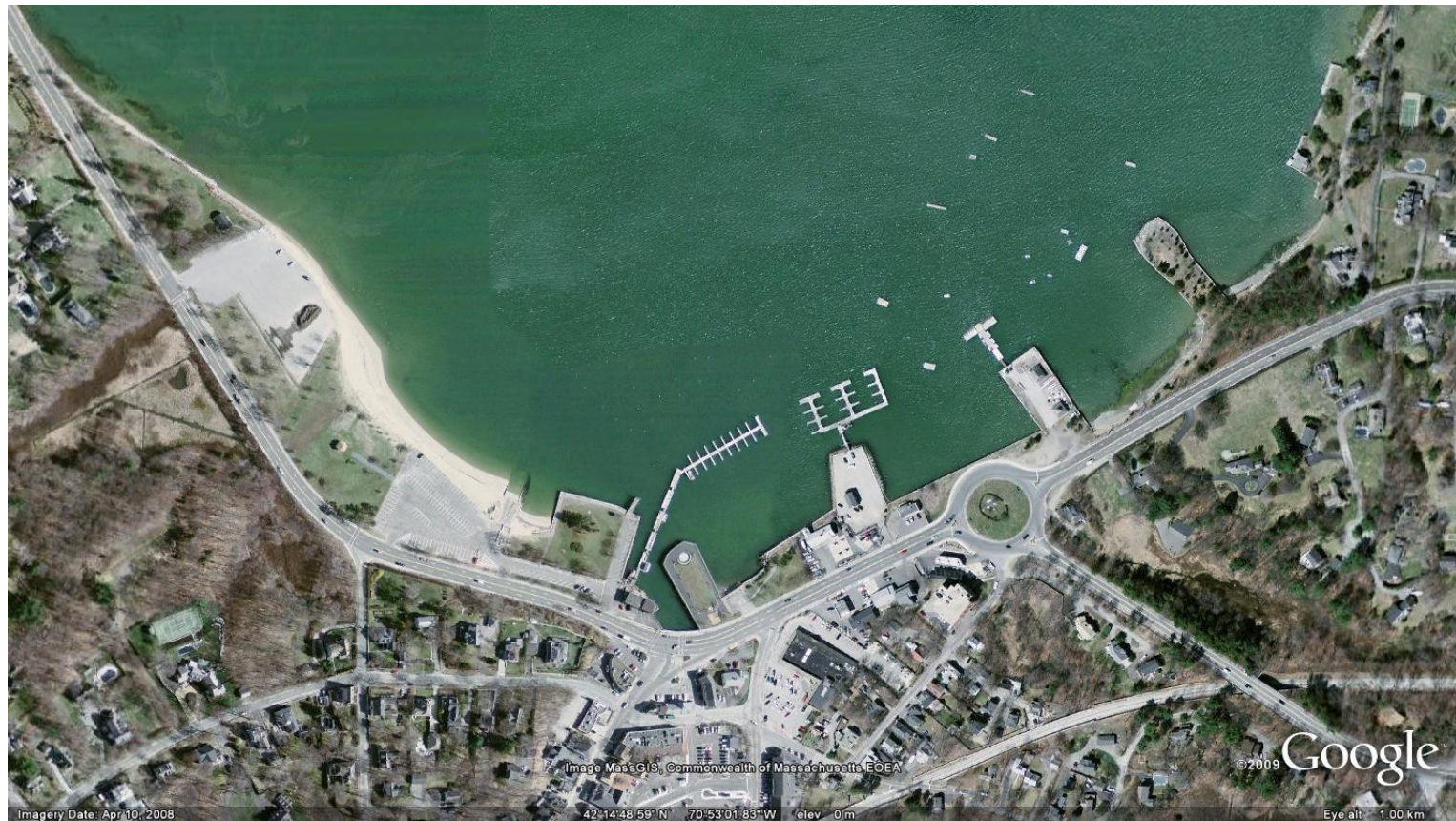


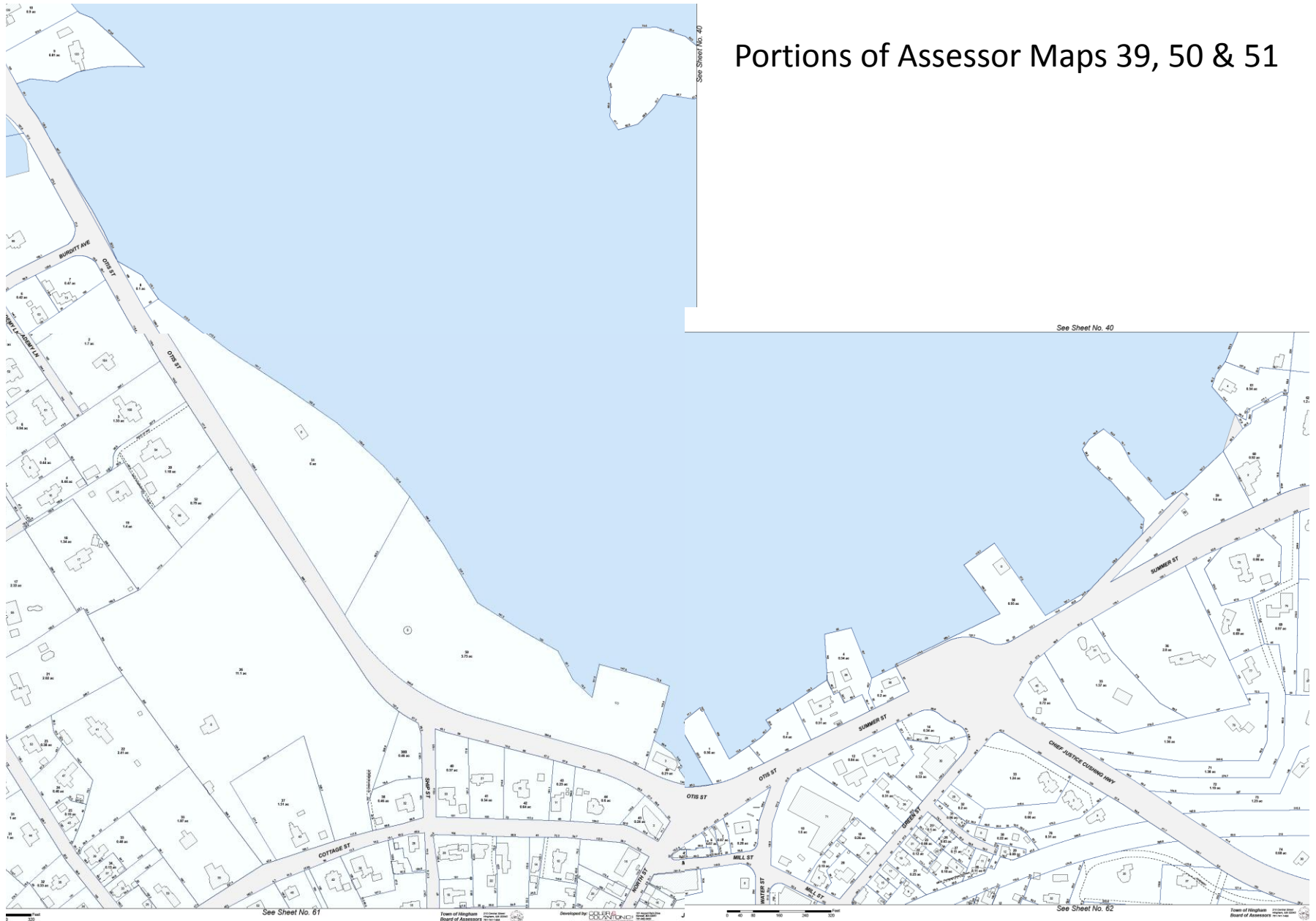
# Hingham Harbor Overlay District Draft Zoning Amendment

Planning Board Presentation - February 1, 2010

(Rev. 2/17/10, 3/16/10)



## Portions of Assessor Maps 39, 50 & 51





## Town Owned Parcels

## Privately Owned Parcels



## PARCELS IN PROPOSED OVERLAY DISTRICT

Name	Assessor Parcel #	Address	Parcel Size	Zoning	Owner	Use
Hingham Bathing Beach	Map 50 Lot 51	0 Otis Street	6 acres	Official and Open Space	Trustees of Hingham Bathing Beach	Park/Beach
Town Pier/Iron Horse Park	Map 50 Lot 50	0 Otis Street	5.7 acres	Official and Open Space	Town of Hingham	Park/Marina
Bare Cove Marina	Map 50 Lot 49	3 Otis Street	.21 acres (9,147.6 sf)	Waterfront Business	Bare Cove Properties LLC	Marina
Whitney Wharf	Map 51 Lots 1	4 Summer Street	.56 acres	Official and Open Space	Town of Hingham	Park
Veterans Park	Map 51 Lot 2	12 Summer Street	.4 acres	Official and Open Space	Town of Hingham	Park
Former Mobil Station site	Map 51 Lot 3	16 Summer Street	.51 acres	Waterfront Business	Town of Hingham	Park/Open Space
Hingham Harbor Marina	Map 51 Lot 4	26 Summer Street	.54 acres (23,522.4 sf)	Waterfront Business	B & K Enterprises, LLC	Marina
Gallery 360	Map 51 lot 5	30 Summer Street	.2 acres (8,712 sf)	Waterfront Business	Helm Realty Trust	Realty Office
Barnes Wharf	Map 51 Lot 58	50 Summer Street	.95 acres	Official and Open Space	Town of Hingham	Sailing Center
Steamboat Wharf	Map 51 Lot 59	50 Summer Street	1.8 acres	Official and Open Space	Town of Hingham	Park



## HINGHAM BATHING BEACH

**Owned By:** Trustees of Hingham Bathing Beach

**Size:** 6 acres

**Zoned:** Official & Open Space (rezoned 1977)

**Uses:** Beach, park – occasional public events, such as Farmer's Market, Touch-a-Truck, Rotary Club, Lion's Club



©2009 Google

Eye alt 315 m



## TOWN PARK, PUBLIC LAUNCH, IRON HORSE PARK, TOWN PIER

**Owned By:** Town of Hingham (Board of Selectmen jurisdiction)

**Size:** 5.7 acres

**Zoned:** Official & Open Space (rezoned 1977)

**Uses:** Beach, park (gazebo/band stand), Town Pier,  
public launch (under restrictions from Public Access Board),  
- occasional events, such as private group picnics, weddings, public band concerts



Image MassGIS, Commonwealth of Massachusetts EOEA

©2009

Google

Imagery Date: Apr 10, 2008

42°14'46.75" N / 70°53'09.99" W

city 1 m

Eye alt 256 m



## 3 OTIS STREET

**Owned By:** Bare Cove Properties LLC

**Size:** .21 acres (9,147.6 sf)

**Zoned:** Waterfront Business (rezoned 1970)

**Uses:** Bare Cove Marina - currently available parking allows use of 16 slips pursuant to zoning. Full property includes 38 slips plus building





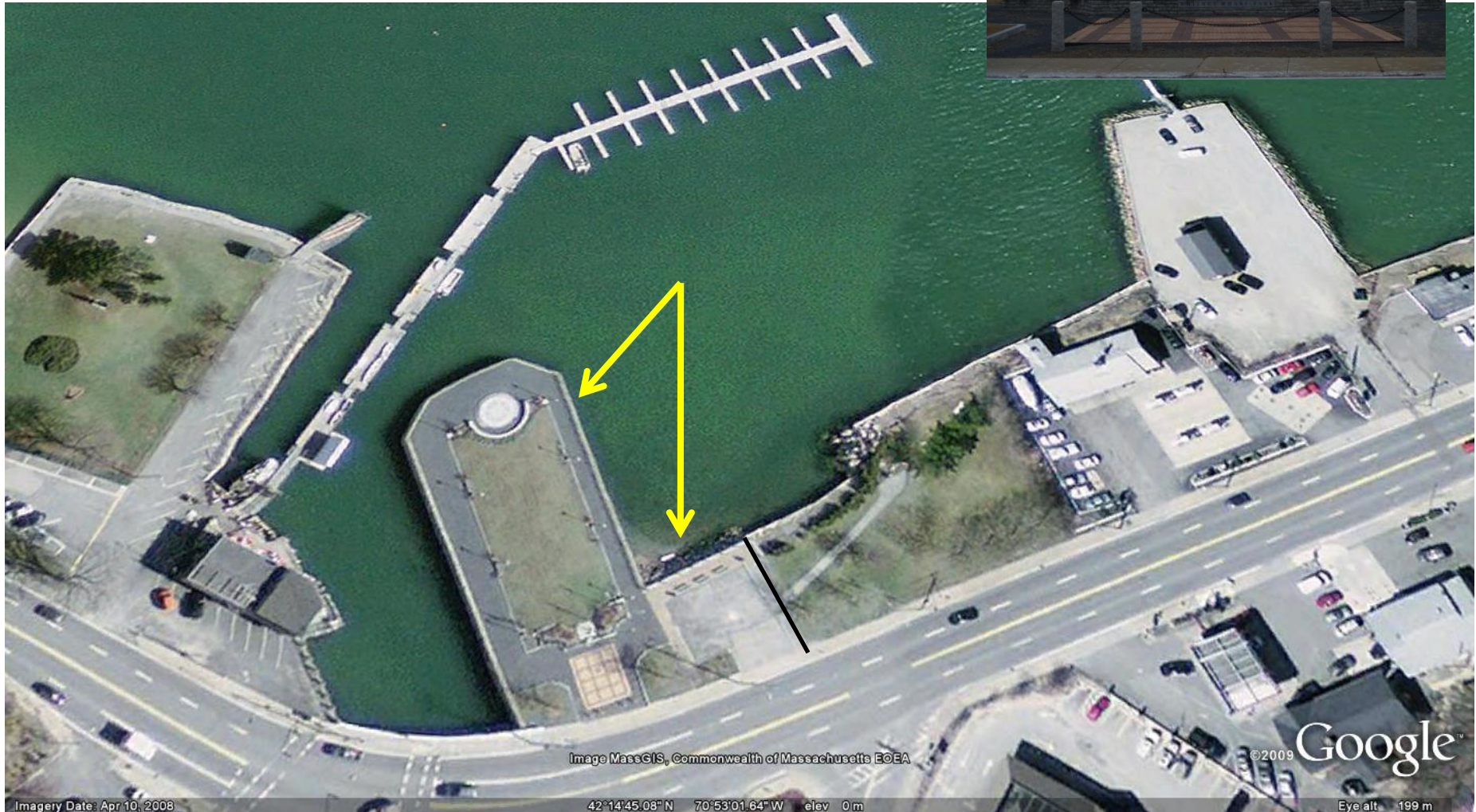
## WHITNEY WHARF PARK

**Owned By:** Town of Hingham

**Size:** .56 acres

**Zoned:** Official & Open Space (rezoned 1993)

**Uses:** Park





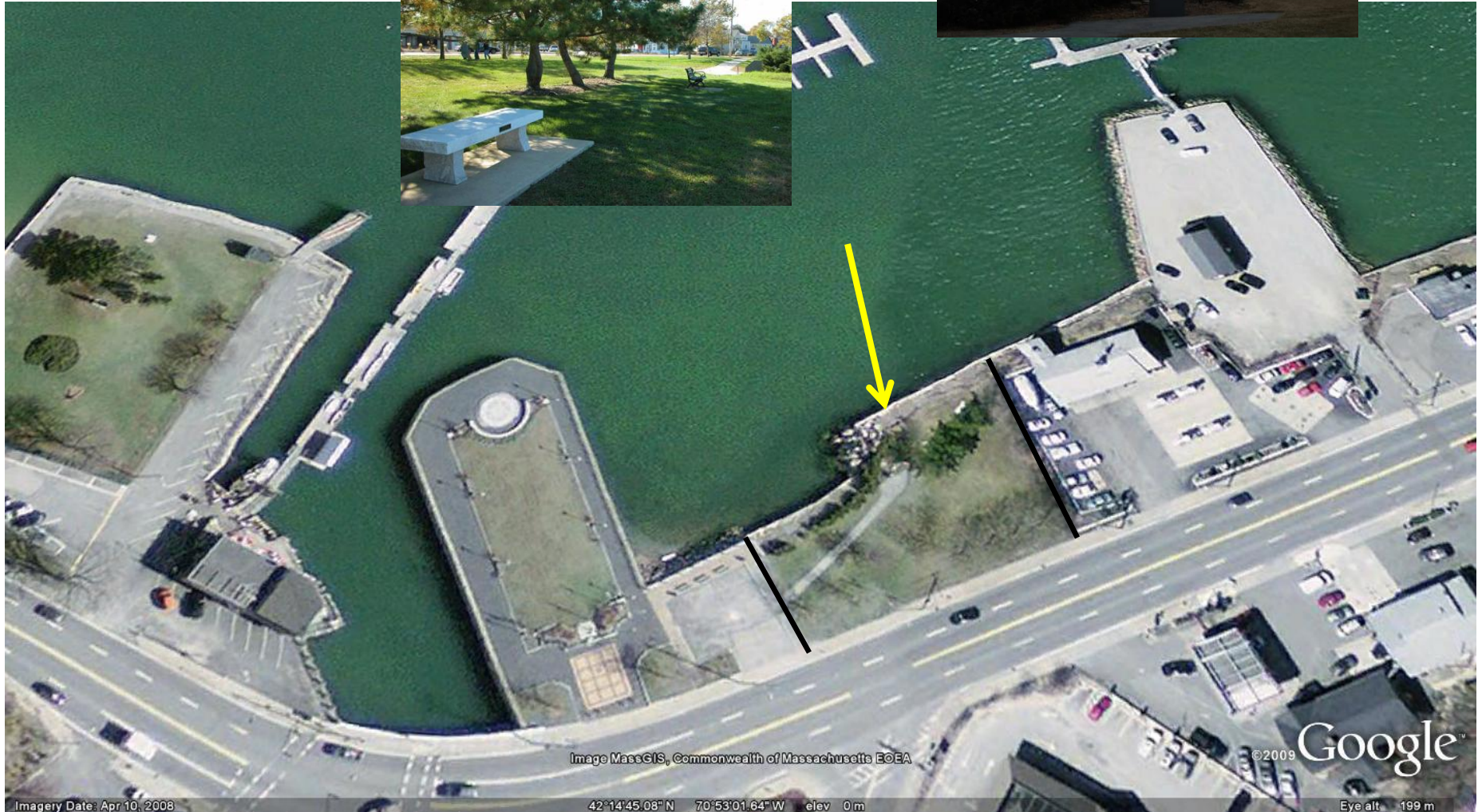
## VETERANS PARK

**Owned By:** Town of Hingham

**Size:** .4 acres

**Zoned:** Official & Open Space (rezoned 1993)

**Uses:** Park





## FORMER MOBILE STATION SITE

**Owned By:** Town of Hingham

**Size:** .51 acres

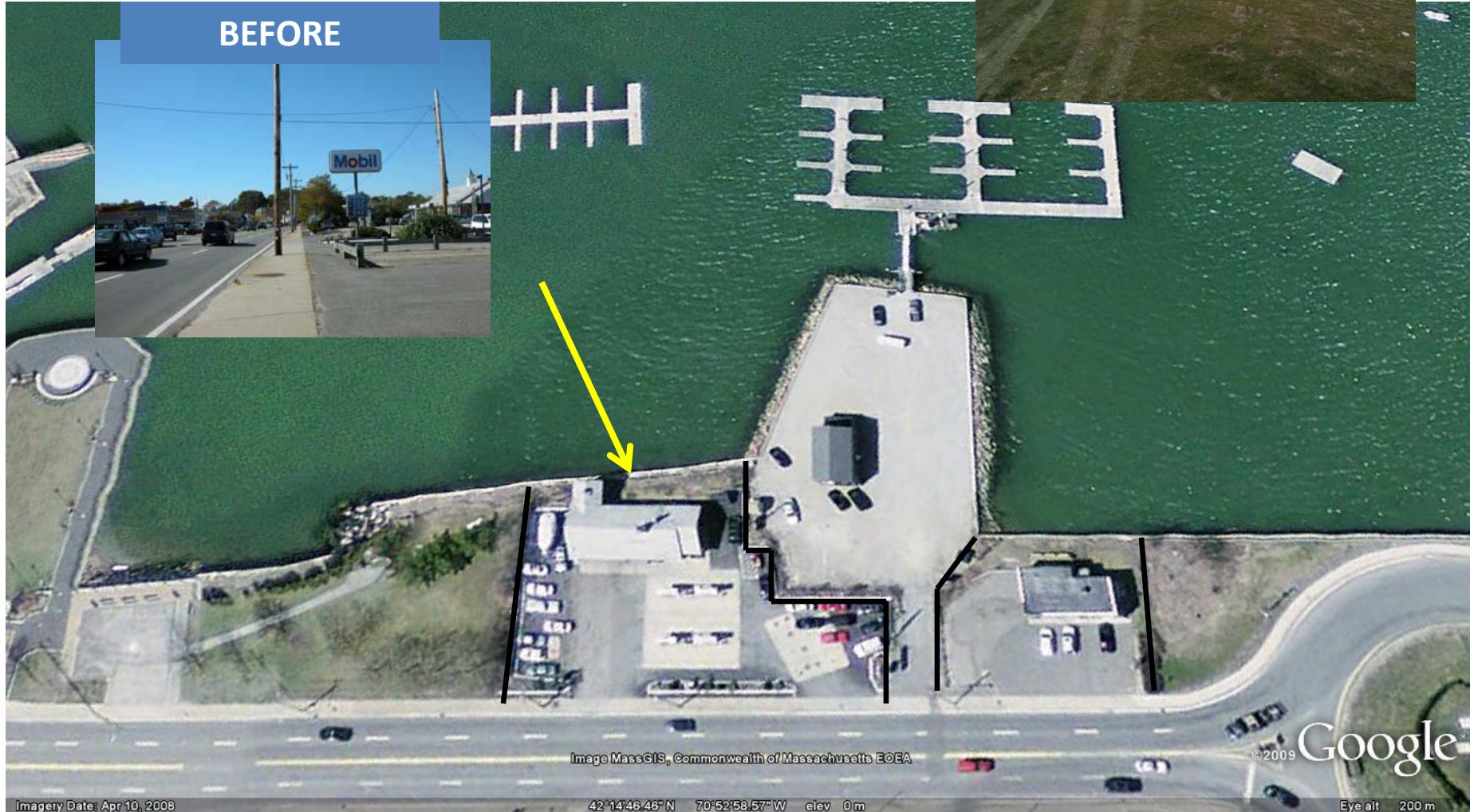
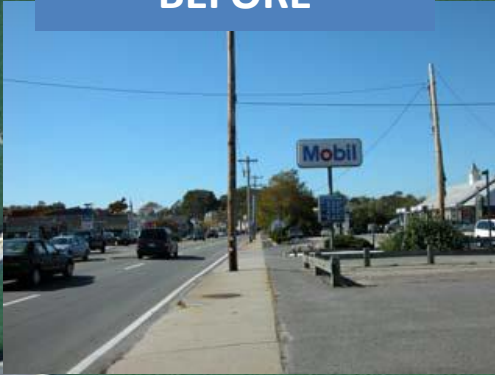
**Zoned:** Waterfront Business (proposed rezoning to O&OS 2010)

**Uses:** Park

**AFTER**



**BEFORE**





## 26 SUMMER STREET

**Owned By:** B & K Enterprises, LLC

**Size:** .52 acres (23,522.4 sf)

**Zoned:** Waterfront Business (rezoned 1970)

**Uses:** Hingham Harbor Marina--marina and office space



Image MassGIS, Commonwealth of Massachusetts EOEA

©2009 Google

Imagery Date: Apr 10, 2008

42°14'46.46" N 70°52'58.57" W elev 0m

Eye alt 200 m



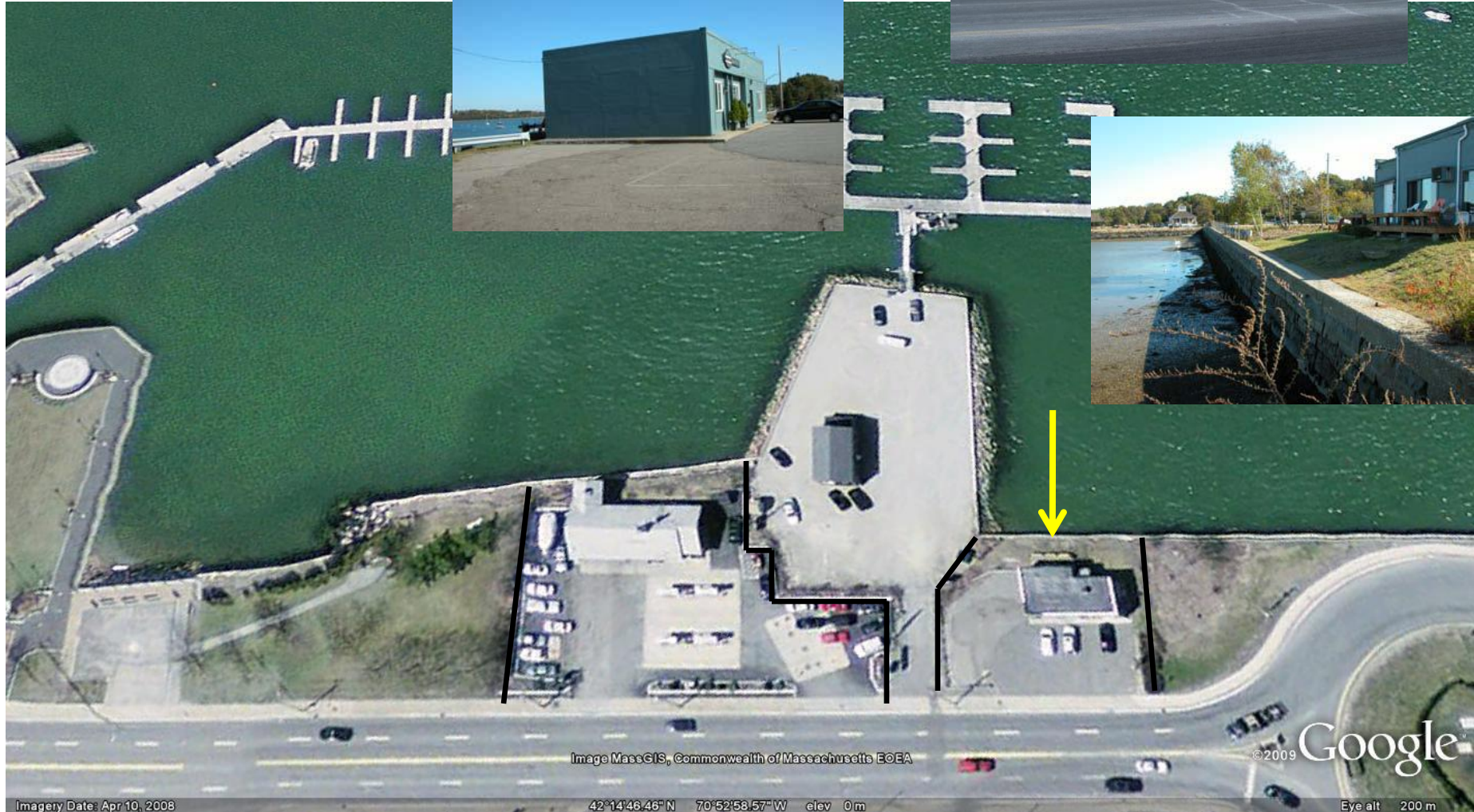
## 30 SUMMER STREET

**Owned By:** Helm Realty Trust

**Size:** .2 acres (8,712 sf)

**Zoned:** Waterfront Business (rezoned 1970)

**Uses:** Gallery 360 Real Estate Office





## BARNES WHARF

**Owned By:** Town of Hingham

**Size:** .95 acres

**Zoned:** Official & Open Space (rezoned 1977)

**Uses:** Currently leased to Lincoln Maritime Center for sailing/rowing club



Image MassGIS, Commonwealth of Massachusetts EOE

©2009

Google

Imagery Date: Apr 10, 2008

42°14'51.64" N 70°52'48.96" W elev 0 m

Eye alt 371 m



## STEAMBOAT WHARF

**Owned By:** Town of Hingham

**Size:** 1.8 acres

**Zoned:** Official & Open Space (rezoned 1977)

**Uses:** Currently leased to Lincoln Maritime Center but not being used.

Often used for fishing by residents/visitors

Accessed only by walking path. Thick shrub in summer season.





# HISTORY OF ZONING AT HINGHAM HARBOR

1941 – Zoning Adopted in Hingham

- Bathing Beach to Iron Horse Park – zoned “Residence”
- 3 Otis Street to Steamboat Wharf – zoned “Business”

1963 - Business District A created. Among other areas of Hingham, Business District A included the downtown and the area along the inner harbor from 3 Otis Street to Steamboat Wharf.

1970 - Waterfront Business District created

- 3 Otis Street (now Bare Cove Marina)
- 16 Summer Street (formerly the Mobile Station)
- 26 Summer Street (now Hingham Harbor Marina)
- 30 Summer Street (Gallery 360 Real Estate)

1977 - Official & Open Space District created

- All then Town-owned waterfront parcels were added to district in 1977.
- Whitney Wharf was added in 1993.
- A zoning amendment is proposed for the 2010 Town Meeting to rezone the Former Mobile Station Site to Official & Open Space.



<b><u>PROPOSED</u> USES FOR OVERLAY DISTRICT</b>	<b>WB</b>	<b>O&amp;OS</b>
<b>1. Residential</b> – No new residential permitted in either district. Accessory uses permitted or allowed by SP A1 for grandfathered residential uses (if applicable) <b><u>NO CHANGES</u></b>	----	----
<b>2. Agricultural</b> <b><u>NO CHANGES</u></b>		
2.1 Farm- Agricultural, orchard, or plant nursery	P	P
2.1.1 Single family dwelling for resident proprietor of 2.1, Farm Agricultural, orchard or plant nursery	O	A1
2.2 Farm - Livestock and poultry, but not including the raising of swine or fur-bearing animals for commercial use subject to special condition No.1 of Section III-B	O	P
2.2.1 Single family dwelling for resident proprietor of 2.2, Farm-Livestock and Poultry	O	A1
2.4 Seasonal sale of cut Christmas trees, subject to Special Condition 6 of Section III-B.	O	P
<b>3. Institutional, Educational, and Recreational Uses</b> <b><u>PROPOSED CHANGE TO 3.5</u></b>		
3.1 Church or other place of worship, parish house, rectory, convent, and other religious institutions, subject to Special Condition 8 of Section III-B	P	P
3.2 Schools or Playgrounds - Public, religious, sectarian, or denominational, subject to Special Condition 8	P	P
3.3 Schools - Private, including dormitories accessory thereto, subject to Special Condition 8 of Section III-B	O	A1
3.4 Nursery school or other use for the day care of children, other than as exempted under Massachusetts General Laws Chapter 40A, Section 3, <u>or</u> a privately organized camp, providing any outdoor play area is at such a distance and so screened from any residential structure on an adjoining lot as to avoid a noise nuisance, subject to Special Condition 8 of Section III-B	A1	O
<b><i>3.5 Public buildings and premises for government use, including public libraries, museums and parks</i></b>	<b><i>A2</i></b>	<b><i>A1</i></b>
<b><i>Changed to require in Overlay District: Water Dependent Uses and Uses Accessory to Water Dependent Uses (described on following slides)</i></b>	<b><i>See following slides</i></b>	



<b><u>PROPOSED</u> USES FOR OVERLAY DISTRICT (continued)</b>	<b>WB</b>	<b>O&amp;OS</b>
<b>3. Institutional, Educational, and Recreational Uses</b> (continued) <b><u>NO CHANGES TO REMAINING USES</u></b>		
3.6 Private non-profit library, museum, or community center.	A2	A1
3.7 Country, golf, swimming, skating, yacht, or tennis club, or other social, civic, or recreational lodge or club, not conducted as a business	A2	A1
3.9 Cemetery	O	A1
3.10 Public-utility buildings and structures	A2	A1
<b>4. Commercial</b> <b><u>NO CHANGES TO THESE USES</u></b>		
4.1 Retail store (other than those specified elsewhere on this Schedule) distributing merchandise to the general public	A2	O
4.2 Craft, consumer, or commercial service establishments dealing directly with the general public	A2	O
4.9A Sit-down restaurant	A2	O
4.9D Take-out restaurant.	A2	O
4.10 Business or professional offices or agencies.	A2	O
4.11 Bank or other financial institution.	A2	O
4.11A Bank offering, whether alone or in conjunction with other means of servicing its customers, a walk-up or drive-up teller or automated teller machine or similar service.	A2	O



<b><u>PROPOSED</u> USES FOR OVERLAY DISTRICT (continued)</b>	<b>WB</b>	<b>O&amp;OS</b>
<b>4. Commercial (continued) <u>PROPOSED CHANGE TO 4.18</u></b>		
<i>4.18 Parking area for employees, customers, or guests of a use abutting or across the street from it, provided that service operations are not performed at the parking area.</i>	<i>Ø</i>	<i>A2</i>
<i><b><u>Changed as follows for Overlay District only:</u></b> Upon the joint application by the record owner of each affected lot, the Planning Board may grant a Special Permit A3 to allow parking by employees, customers, or guests of a use operating on one lot with the Overlay District on an abutting lot within the Overlay District (“Abutting Lot”), provided that (1) service operations are not performed at the parking area and (2) the Planning Board makes a finding that such parking use will not result in or worsen parking conditions on the Abutting Lot</i>	<b>A3</b>	<b>A3</b>
4.19 Marine-oriented retail stores and consumer service establishments dealing directly with the general public.	A2	O
<b>5. Automotive and Marine Sales and Services <u>NO CHANGES</u></b>		
5.4 Marina; boat livery; sales, storage, and repair of boats, boat trailers, and marine accessories.	P	O
<b>6. Wholesale and Industrial Uses – Prohibited in both districts <u>NO CHANGES</u></b>	O	O
<b><u>ADDITIONAL PROPOSED USE CHANGE FOR OVERLAY DISTRICT:</u></b>		
<b>Personal wireless communications towers or antennae, except as may be required for public safety and marina operations, provided that such public safety and marina communications antennae shall be building mounted.</b>	<b>O</b>	<b>O</b>



## DEFINITIONS IN PROPOSED OVERLAY BYLAW

**Marina** – For the purposes of the underlying Official and Open Space parcels within this Overlay District a marina shall constitute a berthing area comprised of slips, piers or attached floats.

**Snack Stand** –Within this Overlay District, a counter accessible from the outside of a building for the sale of non-alcoholic beverages and food and providing no indoor seating, which snack stand shall be accessory to the Water Dependent Use(s) of the lot on which it is located and not intended as a primary use. When determining parking required for the lot, the Snack Stand use may be considered either under a shared parking analysis or as a complementary use which is not deemed to create a parking demand separate from, or in addition to, the primary Water Dependent Use(s) on the lot.

**Uses Accessory to a Water Dependent Use** – The following uses are deemed to be accessory to a primary Water Dependent Use:

- (a) offices primarily providing services to a Water Dependent Use (such as harbormaster, other public safety, marina management or life guard offices), and related indoor storage;
- (b) public restrooms, including bathhouses; and
- (c) Snack Stands

**Water Dependent Use** – Each of the following uses shall be deemed a water dependent use for the purposes of this Section III-E:

- (a) marinas, whether privately or publicly owned or operated;
- (b) public boat basins (also referred to as the public mooring field);
- (c) other public or private commercial or recreational boating facilities, such as a sailing club, rowing club and/or other organized boating facility. A designated public launch area which allows the launching by an individual of a vessel from a trailer or “car-top” for day-use shall not constitute an organized boating facility;
- (d) public facilities for fishing, swimming, and boat launching; and
- (e) parks, esplanades, boardwalks, and other pedestrian facilities that promote use and enjoyment of the water by the general public and are located at or near the water's edge.